IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

WP(C).No. 30596 of 2007(P)

PETITIONERS:

---

1. C.JAYAPALAN,
   BILL CONTRACTOR, PALAKKAD DISTRICT CO-OPERATIVE BANK LTD., ALATHOOR BRANCH.

2. O.P.SHEREEF, PEON,
   PALAKKAD DISTRICT CO-OPERATIVE BANK LTD., MANNARKKAD BRANCH.

3. P.VENUGOPAL,
   PEON, PALAKKAD DISTRICT CO-OPERATIVE BANK LTD., MANNARKKAD EVENING BRANCH.

BY ADV. SRI.P.RAVINDRAN

RESPONDENTS:

---

1. THE PALAKKAD DISTRICT CO-OPERATIVE BANK LTD., P.B.NO.21, SULTANPET, PALAKKAD-678 001.

2. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, PALAKKAD.

R1 BY ADV. SRI.M.P.ASHOK KUMAR
R2 BY GOVT. PLEADER SMT. ANU SIVARAMAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

- -

WP.(C) No. 30596 of 2007

- -

Dated this the 22nd day of October, 2007

JUDGMENT

First petitioner is working as Bill Collector and petitioners 2 and 3 are working as Peon in the first respondent Society. Petitioners have approached this court seeking a direction to the second respondent to take a decision on Ext.P2 series, submits learned counsel for the petitioners. A direction is also sought to the first respondent to seek exemption from acquiring degrees for promotion of the petitioners from the second respondent. A further direction is sought to command the second respondent to grant exemption from acquiring degrees for promotion.

2. I heard learned counsel for the petitioners and learned counsel for the respondents Sri. M.P. Asok Kumar. He would contend that actually the petitioners have a remedy under Section 69(1)(d) of the Co-operative Societies Act and they have to approach the authority therein. It is pointed out that the right of petitioners is disputed. It is pointed out further that they do not possess the required qualifications.

The qualification required is degree.

3. In such circumstances, I feel that the petitioners have to approach the authority under Section 69 of the Act. As far as the prayer to direct the second respondent to take a decision on Ext.P2 series is concerned, it may not be open to the petitioners to insist that a decision be taken by the second respondent on Ext.P2 series submitted by the petitioners.

The writ petition is disposed of relegating the petitioners to approach the authority under Section 69 of the Act.

(K.M. JOSEPH, JUDGE)

sb